



JCCG Rec'd PCT/PTO 19 SEP 2005 PCT

Docket No.: 09879-00064-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ghislain Tisot et al.

Application No.: 10/538,130

Filed: June 6, 2005

For: FERTILE TRANSPLASTOMIC  
LEGUMINOUS PLANTS

Confirmation No.: 1355

Art Unit: 1638

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed within three months of the U.S. filing date (37 CFR 1.97(b)(1)).

A full translation of each of the non-English language documents is enclosed, except for WO99/53053 (English language abstract provided instead).

Applicant has not submitted copies of each cited U.S. patent and published U.S. patent application, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign patents and published applications in accordance with 37 CFR 1.98(a)(2).

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH: /A.K./

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed documents.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 09879-00064-US. A duplicate copy of this paper is enclosed.

Dated: September 16, 2005

Respectfully submitted,

By 

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Substitute for form 1449A/B/PTO		<b>Complete If Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/538,130; Conf. No. 1355
		Filing Date	June 6, 2005
		First Named Inventor	Ghislaine Tissot
		Art Unit	1638
		Examiner Name	Not Yet Assigned
Sheet	1	of	2
		Attorney Docket Number	09879-00064-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.*	Document Number Number-Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-4,945,050	07-31-1990	Sanford et al.	
	AB	US-5,188,642	02-23-1993	Shah et al.	
	AC	US-5,451,513	09-19-1995	Maliga et al.	
	AD	US-5,552,306	09-03-1996	Thomas et al.	
	AE	US-5,614,313	03-25-1997	Mills et al.	
	AF	US-5,666,778	02-02-1999	Hartman et al.	
	AG	US-5,877,402	03-02-1999	Maliga et al.	
	AH	US-6,127,336	10-03-2000	Bulet et al.	
	AI	US-6,229,065	05-08-2001	Freyssinet et al.	
	AJ	US-6,268,549	07-31-2001	Sailland et al.	
	AK	US-6,465,719	10-15-2002	DeRose et al.	
	AL	US-6,566,587	05-20-2003	Lebrun et al.	
	AM	US-6,770,798	08-03-2004	Freyssinet et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.*	Foreign Patent Document Country Code*, Number*-Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BA	WO-91/02071	02-21-1991	Dekalb Plant Genetics	
	BB	WO92/15685 (EP-0 531 498)	09-17-1992	Rhone-Poulenc Agrochimie	See US 6,229,065
	BC	WO-95/06128	03-02-1995	Dekalb Genetics Corporation	
	BD	WO-96/38567	12-05-1996	Rhone-Poulenc Agrochimie	See US 6,268,549
	BE	WO-97/04103	02-06-1997	Rhone-Poulenc Agrochimie	See US 6,566,587
	BF	WO-97/30082	08-21-1997	Rhone-Poulenc Agrochimie	See US 6,127,336
	BG	WO-98/11235	03-19-1998	Novartis AG	
	BH	WO-98/40490	09-17-1998	Mycogen Corporation	
	BI	WO-98/46763	10-22-1998	Calgene LLC et al.	
	BJ	WO-98/46764	10-22-1998	Calgene LLC et al.	
	BK	WO-99/02717	01-21-1999	Rhone-Poulenc Agrochimie	See US 6,465,719
	BL	WO-99/10513	03-04-1999	Auburn University	
	BM	WO-99/24594	05-20-1999	Rhone-Poulenc Agrochimie	See US 6,770,798
	BN	WO-99/53053	10-21-1999	Rhone-Poulenc Agrochimie	See Abstract
	BO	WO-00/01833	01-13-2000	Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften E.V.	
	BP	WO-01/04331	01-18-2001	Calgene LLC	
	BQ	CA-2 355 255	06-22-2000	Aventis CropScience S.A.	

Examiner Signature	/s/ JAMES K. KUBICKI	Date Considered	02/08/2008
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	BR	WO-00/36127	06-22-2000	Aventis CropScience SA		See CA 2 355 255
	BS	WO-01/04327	01-18-2001	Calgene LLC		

\*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST-16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	CA	Zhang, X. H. et al.; "Plastid Transformation of Soybean Suspension Cultures," Journal of Plant Biotechnology, vol. 3, no. 1, January 2001, pages 39-44, XP002253093			
	CB	Bock, R.; "Transgenic Plastids in Basic Research and Plant Biotechnology", Journal of Molecular Biology, London, GB, Vol. 3, no. 312, September 21, 2001, pages 425-438, XP001084937			
	CC	Daniell H. et al. (2004); "Chloroplast Genetic Engineering" in Molecular Biology and Biotechnology of Plant Organelles, pages 443-490; Eds: Daniell H. and Chase Ch.; Kluwer Academic Publishers, The Netherlands			

\*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Anne Kubelik/	Date Considered	02/08/2008
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